

CHAPTER 4-12.1 HONEY PROMOTION ACT

4-12.1-01. Definitions. Whenever used in this chapter:

1. "Association" means the North Dakota beekeeper's association.
2. "Beekeeper" means any person, firm, association, corporation, or limited liability company owning or controlling one or more colonies of bees for the production of honey, beeswax, or byproducts either for personal or commercial use.
3. "Commissioner" means the agriculture commissioner.
4. "Market development" means research, promotion, and education programs toward better and more efficient production, marketing, and utilization of honey for resale. The term also means the use of other methods including, but not limited to, public relations and other promotion techniques, for the maintenance of present honey markets, for the development of new or larger domestic or foreign markets, for the sale of honey and for prevention, modification, or elimination of trade barriers which obstruct the free flow of agricultural commodities to market. The term includes providing promotion funds for a North Dakota honey queen program.

4-12.1-02. Assessment. There is hereby levied on beekeepers an assessment of five cents per colony of honeybees licensed by the beekeeper. The minimum assessment is one dollar. The assessment must be remitted to the commissioner at the same time the annual license application is due as specified in section 4-12.2-04.

4-12.1-03. Fees - Special fund - Continuing appropriation. The association may charge fees for items sold to promote honey. The state treasurer shall deposit all moneys received under this chapter in a special revolving fund to be known as the honey fund. All moneys deposited in the honey fund are appropriated on a continuing basis to the commissioner for use pursuant to this chapter.

4-12.1-04. Refunds. Any beekeeper who makes a written application under separate cover therefor to the commissioner within thirty days of the remission of his fees to the commissioner shall receive a refund of the assessment submitted by him.

4-12.1-05. Delinquent assessment remittance. Any beekeeper who fails to remit the assessment as specified is delinquent and shall levy a penalty assessment of five percent of the assessment due plus interest at the rate of six percent per annum, from the due date. The penalty and interest must be collected in the manner described in section 4-12.1-06.

4-12.1-06. Collection of unpaid assessments. If a beekeeper fails to remit the proper assessment, the commissioner may enforce the remittance in any court of competent jurisdiction in the state.

4-12.1-07. Commissioner to effectuate purposes of this chapter - Advice of the association sought. The commissioner is hereby authorized to expend moneys and take the actions the commissioner deems necessary and proper to effectuate the purposes and policies of this chapter. The commissioner shall request the advice, review, and comment of a committee appointed by the association regarding the projects, programs, and policies undertaken to carry out the provisions of the chapter.

4-12.1-08. Honey information in report. The commissioner shall include information concerning the commissioner's activities under the provisions of this chapter, including a complete listing of the assessments collected and the moneys spent under this chapter, in the commissioner's report to the governor.

4-12.1-09. Penalty. Any person who willfully violates this chapter is guilty of a class B misdemeanor.